

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

ROBERT ALLEN SHIRLEY, )  
                            )  
Petitioner,             )  
                            )  
vs.                      )                                  NO. CIV-19-0190-HE  
                            )  
LORI M. WAKLEY        )  
                            )  
Respondent.            )

**ORDER**

Petitioner Robert Allen Shirley, a state prisoner appearing *pro se*, filed a § 2241 habeas petition seeking relief from state court actions. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to Magistrate Judge Suzanne Mitchell for initial proceedings. Petitioner has filed a motion to proceed *in forma pauperis*, and Judge Mitchell has issued a Report and Recommendation recommending that the motion be denied and the petition be dismissed unless petitioner pays the \$5 filing fee.

Petitioner has filed a motion seeking extra time to complete payment of this fee which the court also considers an objection to the Report. Because petitioner does not challenge the conclusion that he does not qualify for IFP status, the Report [Doc. # 7] is **ADOPTED**. Petitioner shall pay the filing fee within twenty-one (21) days of the date of this order or his petition will be dismissed without prejudice. Petitioner's Motion for Enlargement of Time is **DENIED** as moot.

**IT IS SO ORDERED.**

Dated this 17th day of April, 2019.



JOE HEATON  
CHIEF U.S. DISTRICT JUDGE